

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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<b>In re United States Patent Application of:</b>	)	<b>Docket No.:</b>	<b>942757-278580</b>	
<b>Applicant:</b>	<b>Stuart A. Kauffman et al.</b>	)	<b>Examiner:</b>	<b>Lindsay M. MaGuire</b>
		)		)
<b>Application No.:</b>	<b>09/868,981</b>	)	<b>Art Group:</b>	<b>3692</b>
		)		)
<b>Filing Date:</b>	<b>June 25, 2002</b>	)	<b>Confirmation No.:</b>	<b>6805</b>
		)		)
<b>Title:</b>	<b>A SYSTEM AND METHOD FOR THE ANALYSIS AND PREDICTION OF ECONOMIC MARKETS</b>	)	<b>Customer No.:</b>	<b>24239</b>
		)		)

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**REQUEST FOR REFUND IN U.S. PATENT APPLICATION NO. 09/868,981**

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Mail Stop 16  
Attention: Refund Branch  
Director of the US Patent & Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

It recently came to our attention that the USPTO made a withdrawal of \$2,200.00 from Deposit Account 13-4365 in the name of Moore & Van Allen PLLC for independent claim fees for the above-identified application.

An Amendment under 37 C.F.R. § 1.121 for the subject application was electronically filed on November 21, 2008, including the original 100 claims, 18 of which are independent and all having been previously paid for at the time of filing on June 25, 2002. Copies of the fee worksheets from June 25, 2002, and November 21, 2008, are attached for review.

It is believed that the fee calculation sheet completed by the Patent Office following the amendment filed on November 21, 2008, contains a clerical error. The fee calculation sheet indicates that only 8 independent claims have been previously paid for when, in fact, all 18 independent claims were paid for

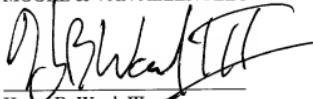
on June 25, 2002. A copy of the fee calculation sheet from November 21, 2008 is also enclosed for your review.

In light of the above, applicant respectfully requests that the Commissioner refund the erroneously charged \$2,200.00 to our Deposit Account No. 13-4365 in the name of Moore & Van Allen PLLC.

If any other issues remain outstanding or if further documentation is required, the Office is respectfully requested to contact the undersigned at 704-331-1027, so that such issues may be promptly resolved.

Respectfully submitted,

MOORE & VAN ALLEN PLLC



Date: April 3, 2009

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ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES  
PATENT & TRADEMARK OFFICE ON April 3, 2009.

PATENT APPLICATION FEE DETERMINATION RECORD  
Effective October 1, 2000

Application or Docket Number

09/868 981

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS			
FOR	NUMBER FILED	NUMBER EXTRA	
TOTAL CHARGEABLE CLAIMS		100 minus 20=	
INDEPENDENT CLAIMS		18 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT			<input type="checkbox"/>

SMALL ENTITY  
TYPE

OTHER THAN  
OR SMALL ENTITY

RATE	FEES	RATE	FEES
BASIC FEE		OR BASIC FEE	690
XS 9=		OR XS18=	1440
X40=		OR X80=	1200
+135=		OR +270=	
TOTAL		OR TOTAL	3350

\* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	..	=
Independent	•	Minus	...	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM	<input type="checkbox"/>			

SMALL ENTITY

OTHER THAN  
OR SMALL ENTITY

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		OR X\$18=	
X40=		OR X80=	
+135=		OR +270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	..	=
Independent	•	Minus	...	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM	<input type="checkbox"/>			

ADDITIONAL FEE

ADDITIONAL FEE

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		OR X\$18=	
X40=		OR X80=	
+135=		OR +270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	Minus	..	=
Independent	•	Minus	...	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM	<input type="checkbox"/>			

ADDITIONAL FEE

ADDITIONAL FEE

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		OR X\$18=	
X40=		OR X80=	
+135=		OR +270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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## CLAIMS

No.	AS FILED		AFTER 1st AMENDMENT		AFTER 2nd AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
1						
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TOTAL IND.						
TOTAL DEP.						
TOTAL CLAIMS						

No.	IND.	DEP.	IND.	DEP.	IND.	DEP.
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100						
TOTAL IND.						
TOTAL DEP.						
TOTAL CLAIMS						

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8-28-03  
Ch

patent application serial no. 09/868,981

*Department of Commerce*  
*Patent and Trademark Office*  
*fee record*

06/27/2001 UEDUVIJE 00000166 161150 09868981

01 FC:956 690.00 CH  
02 FC:966 1440.00 CH  
03 FC:964 1200.00 CH  
04 FC:154 130.00 CH

04/26/2002 MALIII 00000081 161150 09868981

~~01 FC:154~~ 120.00 CH

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875				Application or Docket Number 09/868,981	Filing Date 06/25/2002	<input type="checkbox"/> To Be Mailed		
<b>APPLICATION AS FILED – PART I</b>				OTHER THAN SMALL ENTITY				
(Column 1) (Column 2)				SMALL ENTITY <input type="checkbox"/>	CR	OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	N/A	N/A	N/A		
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(b), (f), or (m))	N/A	N/A	N/A	N/A	N/A	N/A		
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(c), (d), or (g))	N/A	N/A	N/A	N/A	N/A	N/A		
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	X \$ =	OR	X \$ =		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	X \$ =	OR	X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(e))  <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).				
* If the difference in column 1 is less than zero, enter “0” in column 2.				TOTAL				
<b>APPLICATION AS AMENDED – PART II</b>				TOTAL				
(Column 1) (Column 2) (Column 3)				OTHER THAN SMALL ENTITY				
AMENDMENT	11/21/2008	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY	OR	OTHER THAN SMALL ENTITY	
		Total (37 CFR 1.16(i))	• 100	Minus	** 100	= 0	RATE (\$)	ADDITIONAL FEE (\$)
	Independent (37 CFR 1.16(h))	• 18	Minus	*** 8	= 10	X \$ =	OR	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(e))  <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				Total Add'l Fee				
(Column 1) (Column 2) (Column 3)				TOTAL ADDL FEE			TOTAL ADDL FEE	
AMENDMENT	11/21/2008	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
		Total (37 CFR 1.16(i))	•	Minus	**	=	X \$ =	OR
	Independent (37 CFR 1.16(h))	•	Minus	***	=	X \$ =	OR	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(e))  <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				Total Add'l Fee			TOTAL ADDL FEE	

\* If the entry in column 1 is less than the entry in column 2, write “0” in column 3.

\*\* If the “Highest Number Previously Paid For” IN THIS SPACE is less than 20, enter “20”.

\*\*\* If the “Highest Number Previously Paid For” IN THIS SPACE is less than 3, enter “3”.

The “Highest Number Previously Paid For” (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and maintaining the data in the collection; reviewing the data prior to transmission to the USPTO; Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Legal Instrument Examiner:  
/TONYA MCBRIDE/